

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

The Kroger Company, :
Plaintiff, : Case No. 1:02-CV-439
vs. :
Malease Food Corporation, :
Defendant. :

Interrogatory 1

Do you find by a preponderance of the evidence that Plaintiff The Kroger Company has proven by a preponderance of the evidence that it suffered damages as a result of Defendant Malease Food Corporation's breach of its agreement to convey its leasehold interest to Kroger?

Yes X

No _____

Date: <u>March 16, 2005</u>	<u>s/Juror #7</u> Foreperson
<u>s/Juror #3</u>	<u>s/Juror #5</u>
<u>s/Juror #8</u>	<u>s/Juror #6</u>
<u>s/Juror #2</u>	<u>s/Juror #4</u>
<u>s/Juror #1</u>	

If your answer to this Interrogatory was "yes," proceed to Interrogatory 2. If your answer to this Interrogatory was "no", proceed no further and inform the Court Security Officer that you have completed your deliberations.

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 :
vs. :
 :
Malease Food Corporation, :
 :
Defendant. :

Interrogatory 2

If you answered "yes" to Interrogatory 1, state the amount of damages awarded to Plaintiff:

\$ 1,125,000.00

Date: March 16, 2005 s/Juror #7
Foreperson

s/Juror #3 s/Juror #5

s/Juror #8 s/Juror #1

s/Juror #2 s/Juror #4

s/Juror #6

When you have completed this Interrogatory, inform the Court Security Officer that you have concluded your deliberations.